

SENATE BILL REPORT

ESHB 1968

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, March 29, 2007

Title: An act relating to sprinkler fitters.

Brief Description: Requiring certification for sprinkler fitters.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Simpson, Conway and Ormsby).

Brief History: Passed House: 3/14/07, 74-21.

Committee Activity: Labor, Commerce, Research & Development: 3/27/07, 3/29/07 [DP, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin, Murray and Prentice.

Minority Report: Do not pass.

Signed by Senators Clements, Ranking Minority Member; Hewitt and Holmquist.

Staff: Sherry McNamara (786-7402)

Background: The state Director of Fire Protection (Director) administers state laws relating to licensing of fire protection sprinkler system contractors and certification of persons designing and installing certain sprinkler systems.

A person must be licensed as a fire protection sprinkler system contractor to construct, install, or maintain a fire protection sprinkler system in an occupancy. This requirement does not apply to owners/occupiers of single-family dwellings installing a sprinkler system in those dwellings, government employees acting in their official capacities, and certain other persons.

To become a licensed fire protection sprinkler system contractor, a person or firm must:

- employ a certificate holder;
- comply with minimum surety bond requirements;
- apply for a license; and
- pay required fees.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

To become a certificate holder, a person must satisfy criteria established by the Director, and pass an examination. The Director may accept equivalent proof of qualification in lieu of examination.

The Director is authorized to refuse or revoke licenses and certificates for reasons including fraud, dishonest practices, felony convictions, and gross incompetence or negligence. Licensing decisions may be appealed.

The Fire Protection Contractor License Fund exists in the custody of the State Treasurer. License and certificate fees are deposited into the Fund. No appropriation is required for expenditures.

Summary of Engrossed Substitute Bill: The Director must administer certification requirements applicable to sprinkler fitters, in addition to licensing and certification requirements for fire protection sprinkler system contractors.

A certification requirement for sprinkler fitters is established. A person may not engage in the sprinkler fitting trade without having a journey-level or residential certificate, trainee certificate, or temporary permit. An exception to the certification requirement allows a plumber to install a residential sprinkler system connected to potable water.

Similarly, a contractor may not employ a person to perform sprinkler fitting work who does not have such a certificate or permit.

To obtain a certificate, a person must submit an application, pass the appropriate examination, and pay application and examination fees.

In addition, for a journey-level sprinkler fitter certificate, the person must have 8,000 hours of trade-related sprinkler fitting experience. For a residential sprinkler fitter certificate, the person must have 4,000 hours of trade-related sprinkler fitting or residential sprinkler fitting experience. For a trainee certificate, the person must have trade-related employment with a licensed fire protections sprinkler system contractor.

A grandfather clause allows a person to obtain a certificate without examination. The person must have 8,000 hours of employment as a journey-level sprinkler fitter for a journey-level certificate, or 4,000 hours of employment as a journey-level or residential sprinkler fitter for a residential certificate. The person must apply for the certificate within 90 days of the act's effective date.

A reciprocity clause allows a person who is a journey-level or residential sprinkler fitter in another state to become certified without examination. The certification requirements in the other state must be substantially equivalent to the requirements in Washington. The other state must extend the same privilege to a person who is a certified journey-level or residential sprinkler fitter in Washington.

The Director is authorized to investigate alleged violations of the certification requirement. A person wishing to appeal an infraction must file an appeal within 20 days of the notice of infraction.

Monetary penalties are set by rule. All receipts from fees and penalties are deposited in the Fire Protection Contractor License Fund.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2009.

Staff Summary of Public Testimony: PRO: There are loopholes in the current system. The designers and the contractors are licensed. The installers should be too. Sprinkler fitter systems should be installed with trained and educated personnel; with people who can interpret blueprints and fire codes. There should be some assurance that if the system is designed properly it will also be installed properly. The industry has experienced a lot of change in recent years. A few years ago there were only 12 types of sprinkler heads, and now there are more than 2,000 types.

Persons Testifying: PRO: Darrin Parsons, John Brooks, Rick Toland, Brad Boswell, Simplex Grinnell Chip Brooks, United Association Local 699.